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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,795	12/31/2003	Michael S. Wengrovitz	134143	1799

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EXAMINER	
ADDY, THJUAN KNOWLIN	
ART UNIT	**PAPER NUMBER**
2614	
MAIL DATE	**DELIVERY MODE**
05/19/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/750,795	WENGROVITZ, MICHAEL S.	
	Examiner	Art Unit	
	THJUAN K. ADDY	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 March 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-50* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-50* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *31 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on March 03, 2009 has been entered. Claims 1, 11, 21, 32, 37, 41, and 50 have been amended. No claims have been cancelled. No claims have been added. Claims 1-50 are still pending in this application, with claims 1, 11, 21, 32, 37, 41, and 50 being independent.

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/032009 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gray et al. (US Patent Application, Pub. No.: US 2004/0028197 A1), in view of Denton et al. (US 7,295,669), and further in view of Lindley et al. (US 7,200,218).

4. In regards to claims 1, 11, 21, 32, 37, 41, and 50, Gray discloses a presence notification method, in a system, media session, call routing method, call transfer method, and PBX call control method comprising a private branch exchange (PBX) (See Fig. 1, Fig. 5, and PBX 5) a first PBX phone (See Fig. 5 and device 17), the presence notification method comprising the steps of: receiving from the PBX a first message indicating an off-hook state of the first PBX phone; consulting a subscriber table (See Fig. 1 and Availability Client 13) including an identity (e.g., name and availability) of one or more presence-state subscribers; and transmitting a second message to at least one of the one or more presence-state subscribers indicating the off-hook state of the first PBX phone (See pg. 1, paragraph [0004]; pg. 2, paragraph [0027]; pg. 3, paragraph [0036]; and pg. 3, paragraph [0039]). Gray, however, does not disclose a computer associated with the first PBX phone, with the computer including a PBX Messing Integration Client (PMIC), with the PMIC associated with an individual and

receiving at the computer from the PBX a first message indicating an off-hook state of the first PBX phone. Denton, however, does disclose a computer associated with the first PBX phone, with the computer including a PBX Messing Integration Client (PMIC) (for example, the flow connection module 204 and 209 may read on the recited PMIC), with the PMIC associated with an individual (See Abstract, col. 4 lines 12-28, and col. 6-7 lines 54-17) and receiving at the computer from the PBX a first message indicating an off-hook state of the first PBX phone (See col. 12 lines 8-41). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate these limitations within the method and system, as a way of providing telephone and data flow connections among call-handling applications belonging to each telephone. Gray, nor Denton however, disclose the computer including a PBX Messaging Integration Client (PMIC) capable of placing and answering PBX calls without a PBX phone, routing incoming calls directed to PBX extensions to other devices, forwarding calls away from the PBX phones to other devices, and placing calls on hold. Lindley, however, does disclose the computer (See Fig. 2 and computer 218) including a PBX Messaging Integration Client (PMIC) (See Fig. 2, switch 206/circuit board 212, and col. 3 lines 36-42) capable of placing and answering PBX calls without a PBX phone, routing incoming calls directed to PBX extensions to other devices, forwarding calls away from the PBX phones to other devices, and placing calls on hold (See col. 1 lines 50-55, col. 5 lines 31-52, col. 5 lines 58-63, and col. 7 lines 23-37). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate these limitations within the system, as a way of allowing PBX features to be extended

through the public network.

5. In regards to claim 2, Gray discloses the presence notification method, wherein the computer interface is resident in an Internet Protocol (IP) network (See Fig. 1 and pg. 1, paragraph [0008]).

6. In regards to claim 3, Gray discloses the presence notification method, wherein the second message is a presence-state message (See pg. 1-2, paragraph [0013] and pg. 2, paragraph [0015]).

7. In regards to claim 4, Gray discloses the presence notification method, wherein the presence-state message is a session initiation protocol (SIP) instant message (See pg. 2, paragraph [0015]).

8. In regards to claim 5, Gray discloses the presence notification method, wherein first message is a computer telephony integration (CTI) event message (See pg. 4, paragraph [0091]).

9. In regards to claim 6, Gray discloses all of claim 6 limitations, except the presence notification method, wherein the CTI event message is generated using a protocol selected from the group consisting of: Telephony Application Programming Interface (TAPI) protocol, Telephony Services Application Programming Interface (TSAPI) protocol, and the Computer Supported Telecommunications Applications (CSTA) protocol. Mason, however, does disclose the presence/state notification (See pg. 4, paragraph [0037]), wherein the CTI event message is generated using a Computer Supported Telecommunications Applications (CSTA) protocol (See pg. 3, paragraph [0032]). Therefore, it would have been obvious for one of ordinary skill in the art at the

time of the invention to incorporate these features, such as a TAPI protocol, a TSAPI protocol, and a CSTA protocol within the method, as a way of handling or controlling a call in order for a server to communicate with the PBX.

10. In regards to claim 7, Gray discloses the presence notification method, wherein the CTI event message is received indirectly via a CTI server (See pg. 4, paragraph [0091]).

11. In regards to claim 8, Gray discloses the presence notification method, wherein second message is an on-phone presence-state notification message (See pg. 1, paragraph [0004]).

12. In regards to claim 9, Gray discloses the presence notification method, wherein the method further comprises, prior to the receiving step, the step of transmitting to the PBX a registration event message comprising a network address for the computer interface (See Fig. 5 and pg. 3, paragraph [0039]).

13. In regards to claim 10, Gray discloses the presence notification method, wherein the method further includes the steps of: receiving from the PBX a third message indicating an on-hook state of the first PBX phone; and transmitting a fourth message to at least one of the one or more presence-state subscribers indicating the on-hook state of the first PBX phone (See pg. 2, paragraph [0027] and pg. 3, paragraph [0036]).

14. In regards to claim 12, Gray discloses the media session, wherein the first message comprises an extension number associated with a second PBX phone used by the first computer interface to generate the second message (See pg. 2, paragraph [0015] – [0016]).

15. In regards to claim 13, Gray discloses the media session, wherein the second message comprises a universal resource identifier with an extension number of the second PBX phone (See pg. 2, paragraph [0015] – [0016]).

16. In regards to claim 14, Gray discloses the media session, wherein the media session is a concurrent media session conducted in parallel with telephonic communication between the first PBX phone and the second PBX phone (See pg. 1, paragraph [0004]).

17. In regards to claim 15, Gray discloses the media session, wherein the media session is selected from the group consisting of: an instant message session, a text chat session, a multimedia session, a computer GUI interface sharing session, and a combination thereof (See pg. 1, paragraph [0002]).

18. In regards to claim 16, Gray discloses the media session, wherein the media session is a SIP session (See pg. 2, paragraph [0015]).

19. In regards to claim 17, Gray discloses the media session, wherein the media session is a text chat session (See pg. 1, paragraph [0002]).

20. In regards to claim 18, Gray discloses the media session, wherein users at the first computer interface and second computer interface may manually escalate from the text chat session to a second media session (See pg. 1, paragraph [0002]).

21. In regards to claim 19, Gray discloses the media session, wherein the first message is a CTI event message (See pg. 4, paragraph [0091]).

22. In regards to claim 20, Gray discloses the media session, wherein the step of determining whether the media session request has been accepted comprises the step

of receiving an SIP OK message (See pg. 2, paragraph [0015]).

23. In regards to claim 22, Gray discloses the call routing method, wherein the group of messages comprises a message answering the incoming call (See pg. 5, paragraph [0103]).

24. In regards to claim 23, Gray discloses the call routing method, wherein the group of messages comprises a message causing the PBX to discontinue a ring signal to the first PBX phone (See pg. 5, paragraph [0103] and pg. 5, paragraph [0111]).

25. In regards to claim 24, Gray discloses the call routing method, wherein the group of messages comprises a message causing the PBX to transfer the incoming call to a second PBX phone (See pg. 5, paragraph [0111]).

26. In regards to claim 25, Gray discloses the call routing method, wherein the group of messages comprises a message causing the PBX to transfer the incoming call to the first computer interface (See pg. 5, paragraph [0103] and pg. 5, paragraph [0111]).

27. In regards to claim 26, Gray discloses the call routing method, wherein the method further includes the step of establishing a voice-over-IP session between the PBX and the first computer interface (See pg. 1, paragraph [0008]).

28. In regards to claim 27, Gray discloses the call routing method, wherein the group of messages comprises a message causing the PBX to transfer the incoming call to a client (See pg. 5, paragraph [0111]).

29. In regards to claim 28, Gray discloses the call routing method, wherein the client is a SIP user agent operatively coupled to the system (See pg. 2, paragraph [0015]).

30. In regards to claim 29, Gray discloses the call routing method, wherein the group

of messages comprises a message causing the PBX to terminate the incoming call and transmit an instant message (See pg. 1, paragraph [0002]).

31. In regards to claim 30, Gray discloses the call routing method, wherein the instant message is directed to a second computer interface identified based upon a phone number associated with the incoming call (See pg. 1, paragraph [0002]).

32. In regards to claim 31, Gray discloses the call routing method, wherein the call routing table comprises call processing rules structured as a function of the time and the day the incoming call is received, the telephone number or extension associated with the incoming call, and the presence-state of the user associated with the first PBX phone (See pg. 6-7, paragraph [0138] and pg. 7, paragraph [0139]).

33. In regards to claim 33, Gray discloses the call transfer method, wherein the first message is a CTI event message (See pg. 4, paragraph [0091]).

34. In regards to claim 34, Gray discloses the call transfer method, wherein the first message comprises a universal resource identifier associated with the first computer interface (See pg. 2, paragraph [0015] – [0016]).

35. In regards to claim 35, Gray discloses the call transfer method, wherein the step of establishing a voice-over-IP session comprises the steps of: receiving a voice-over-IP session request message from the PBX; and transmitting a voice-over-IP session acceptance message (See pg. 1, paragraph [0008]).

36. In regards to claim 36, Gray discloses the call transfer method, wherein the session request message is an SIP INVITE message and the session acceptance message is an SIP OK message (See pg. 2, paragraph [0015]).

37. In regards to claim 38, Gray discloses the call transfer method, wherein the first message is a CTI event message (See pg. 4, paragraph [0091]).

38. In regards to claim 39, Gray discloses the call transfer method, wherein the first message comprises an extension number associated with the first PBX phone (See pg. 2, paragraph [0015] – [0016]).

39. In regards to claim 40, Gray discloses the call transfer method, wherein the step of establishing the voice-over-IP session comprises the step of transmitting a private digital signals and voice (PDSV) signal to the first PBX phone (See pg. 1, paragraph [0008]).

40. In regards to claim 42, Gray discloses the PBX call control method, wherein the first message is a CTI event message (See pg. 4, paragraph [0091).

41. In regards to claim 43, Gray discloses the PBX call control method, wherein the first message is a call hold command instructing the PBX to place the telephone call associated with the first PBX phone on hold (See pg. 6, paragraph [0119]).

42. In regards to claim 44, Gray discloses the PBX call control method, wherein the first message is a call forward command instructing the PBX to transfer the telephone call associated with the first PBX phone to second phone (See pg. 5, paragraph [0111]).

43. In regards to claim 45, Gray discloses the PBX cal control method, wherein the second phone is a second PBX phone (See Fig. 5 and device 17).

44. In regards to claim 46, Gray discloses the PBX call control method, wherein the second phone is a voice-over-IP client (See pg. 1, paragraph [0008]).

45. In regards to claim 47, Gray discloses the PBX call control method, further

comprising the steps of: transmitting to the PBX a first message for forwarding the telephone call associated with the first PBX phone to a voice-over-IP client; establishing a voice-over-IP session between the PBX and the voice-over-IP client; and directing the telephone call to first PBX phone to the first computer interface via the voice-over-IP session (See pg. 1, paragraph [0008]).

46. In regards to claim 48, Gray discloses the PBX call control method, wherein the call control message is an answer call command instructing the PBX to answer the telephone call using a second device (See pg. 5, paragraph [0111]).

47. In regards to claim 49, Gray discloses the PBX call control method, wherein the second device is a second PBX phone (See Fig. 5 and device 17).

Response to Arguments

48. Applicant's arguments with respect to claims 1-50 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

49. Any inquiry concerning this communication or earlier communications from the examiner should be directed to THJUAN K. ADDY whose telephone number is (571)272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

50. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

51. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thjuan K. Addy/
Primary Examiner, Art Unit 2614